

1827-034

SOUTHAMPTON COUNTY
CHANCERY PAPERS

TURNER ^{vs} VS. TURNER'S EXECUTOR

3/1827

838

Turner's by next fr.

W Z Bice, ans.

Turner's En.

Martin

March 1827 Inty. Secer

Lapsed

To the Worshipful the County Court of Southampton, in
Chancery sitting:

Humbly complaining, shew unto your wor-
ships, your Compts, Elizabeth, Ann Eleya, Thomas,
Sally, Susannah, and Nathan Turner, ~~orphans~~ of
Nathan Turner dec'd by Rebecca Turner, their Mother
and next friends, that their said Father departed this
life some time in the year 1825, having first duly
made and published his last will and testament, which
was admitted to record by this worshipful Court, and
attested Copy whereof is hereto annexed, and prayed,
to be rec'd as a part of this bill - By which, after
bequeathing certain specific legacies, he devised,
that the balance of his perishable estate, should be
sold, and his just debts paid out of the money arising
from such sale, and the residue equally divided
amongst his six youngest Children, who are your
Compts - That Letters testamentary were granted
to John C. Turner, the Executor therein named, who
undertook the execution of the said will, - and your
Compts believe has succeeded in the same -

That they are anxious, that a settlement of his debts
should be had, - But so it is may it please the Court
No such settlement can be coerced without the interpo-
sition of this Court. In consideration whereof, and
inasmuch, as they are remedied at law, and only
relievable in Equity, To the end, that the said John
C. Turner Est. as aforesaid, may be made Defect
hereto and compelled to answer this Bill, they pray
the Court this writ of Sp^a, directed & commanding &

That your worship, will decree a settlement of the said
acc^t and, that the said Int^r may be decreed to pay to
the Compell^t, the balance which may be due on
such acc^t. grant them such other and gen^l. relief
as may be consistent with Equity, and good conscience
and as in duty bound, they will ever pray &c
Mason for Compell^t.

The answer of John C. Turner Es^r. of the last mile
and testament of Nathan Turner dec^d. to the foregoing
b^{il}e of Compell^t, this Respondent admits the allegations
of the Pl^{ff}'s b^{il}e, and has no objection to the decrees
prayed for — Having dismissed, pray the hence
dismissed &c.

Turners by next friends. Pl^{ff}'s } In Ch^y.
against }
Turner Es^r Def^t. }

This cause this day ^{as docketed} ~~came on~~ by consent of parties,
with the assent of the Court, and came on to be heard
on the B^{il}e, answer, and exhibit, and was argued
by counsel. On consideration whereof the Court doth
adjudge, order and decree, that Master Comm^r. Briggs
do audit, settle and report to this Court, an acc^t
of the Def^t John C. Turner, acc^t as Executor of
Nathan Turner dec^d. with such matters by him
deemed pertinent specially stated — or which may
be required by the parties to be so stated —